United Nations A/C.4/65/SR.22

General Assembly
Sixty-fifth session

Official Records

Distr.: General
13 January 2011

Original: English

Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 22nd meeting
Held at Headquarters, New York, on Monday, 8 November 2010, at 10 a.m.

Chairperson: Mr. Chipaziwa ..... (Zimbabwe)

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The meeting was called to order at 10.05 a.m.

Agenda item 52: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (*continued*) (A/65/326, 327, 355, 365, 366 and 372)

1. **Mr. Abdelaziz** (Egypt), speaking on behalf of the Movement of Non-Aligned countries, said that the recommendations contained in the report of the Special Committee to Investigate Israeli Practices (A/65/327) should be implemented, in order to ensure the applicability and respect of international human rights and international humanitarian law by Israel, the occupying Power, and to end impunity in the occupied Arab territories. The human rights situation there remained dire and the Movement was gravely alarmed by the long-standing pattern of violations committed by Israel, the Special Committee's conclusions and the fact that a culture of impunity reigned in those territories.

2. The Movement was extremely concerned at the Israeli measures to transfer the Palestinian civilian population from strategic areas in the occupied Palestinian Territory, including East Jerusalem, using illegal measures such as forced evictions, home demolitions, the continued construction of the wall, the revocation of residency rights and the continuation of settlement activities. In addition, the occupying Power continued to impose a network of checkpoints and roadblocks, throughout the Territory which restricted the movement of people and goods and seriously undermined the contiguity and integrity of the Territory and isolated East Jerusalem from its Arab surroundings in the West Bank. Measures must be taken to stand against such illegal practices.

3. The situation in Gaza remained a top priority for the Movement. The deteriorating human rights situation was particularly affecting women and children. The severe collective punishment measures, the impact of the ongoing blockade and the lasting consequences of Israel's military aggression continued to violate the human rights of the Palestinian people. International humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and the Charter and resolutions of the United Nations must be fully respected by the occupying Power. Israel must lift its illegal blockade fully, in accordance with Security Council resolution 1860 (2009) and General Assembly resolution ES-10/18 in particular, and open all crossing points into Gaza.

4. The detention of more than 6,200 Palestinians in Israeli facilities, where torture and ill-treatment were widely reported, in addition to the thousands of other unregistered detainees, were a cause for increasing concern. The Movement called for the immediate release of those prisoners and for a proper international inspection of their condition as a matter of priority.

5. With regard to the situation in the Syrian Golan, the Movement reaffirmed that Israel's actions since 1967 constituted a clear violation of international law, the Charter and resolutions of the United Nations, and the Fourth Geneva Convention, and called upon Israel to abide by Security Council resolution 497 (1981) and withdraw completely to the borders of 4 June 1967.

6. The Movement called on Israel: to promote an environment conducive to peace negotiations, including by refraining from provocations and actions aimed at altering the status of the Occupied Palestinian Territory in the West Bank, particularly East Jerusalem; and to cooperate with efforts to ensure the continuity of negotiations and the achievement of a just, lasting and comprehensive solution to the conflict, based on the establishment of a viable Palestinian State with East Jerusalem as its capital. The international community must remain united in its demand for Israel to respect its legal obligations as an occupying Power and cease its violations. Such respect was imperative for the achievement of the two-State solution through a mutually agreed settlement based on the agreed principles and terms of reference.

7. The Movement reaffirmed its commitment to a just and comprehensive solution to the Arab-Israeli conflict and to the immediate restoration of the inalienable right of the Palestinian people to exercise self-determination and sovereignty in an independent State of Palestine.

8. **Mr. Al Khalifa** (Qatar) commended the Special Committee on Israeli Practices for the impartial and objective way in which it had accomplished its work, notwithstanding Israel's efforts to hamper it. The occupation constituted the worst of the human rights violations which Israel continued to commit against a defenceless people. Such violations could not be justified on the ground of combating violence and terror: everyone had a legitimate right to struggle for

liberation from foreign occupation, and military aggression could not be equated with a liberation struggle.

9. Israel's violations of Palestinians' basic rights and freedoms had led to an unprecedented decline in living conditions in the Occupied Palestinian Territory, particularly in the Gaza Strip, where the blockade had greatly increased the suffering of the population. In addition, the construction of the separation wall in the West Bank not only infringed the human rights of hundreds of thousands of Palestinians, it adversely affected their social and economic conditions.

10. The international community must compel Israel to end its inhuman and illegal practices immediately, including settlement building in occupied territory. Indeed, the time had come for the international community to turn its words of support into tangible action, by bringing to a halt Israel's violation of Palestinian rights.

11. For its part, Qatar, although a small country, provided the Palestinian people with considerable political and material support. It would continue to do everything possible to prevent the subjugation of the Palestinian people and ensure that the Arab people in the occupied Golan were not forgotten.

12. He drew attention to Israel's desecration of revered Muslim sites, including at Al-Haram Al-Sharif, where extremist settlers had been allowed to attack worshippers, and to expulsions of Muslims and Christians from Jerusalem in a bid to erase the Arab, Islamic and Christian identity of the city. Such policies, which undermined the prospects for peace, must be condemned in full. Calling on Israel to comply immediately and unconditionally with the resolutions declaring its decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan to be null and void and without international legal effect, he said that an end to the occupation would ensure a better future for all the peoples in the region, including the Israeli people.

13. Compliance with United Nations resolutions would offer evidence of a good-faith commitment to a comprehensive and just peace settlement in the Middle East. In that connection, he emphasized the importance of the Special Committee's work and of keeping the question of Palestine on the agenda of the Fourth Committee.

14. **Mr. Weissbrod** (Israel) reaffirmed the importance that Israel placed on the preservation of human rights. His country had an independent and highly professional judiciary, active civil society and free press, and upheld human rights as sacrosanct core values. Unfortunately, the report of the Special Committee (A/65/327) did not seek to advance human rights but rather to vilify Israel and the right of its citizens to live in peace and security.

15. While offering wide-ranging and harsh criticism of Israel, the report failed to mention that since 2001, more than 8,800 rockets had been launched from the Gaza Strip against Israeli towns and villages. It also ignored the current Hamas military build-up, which endangered both civilians and international organizations in the region. There was no mention that Hamas had held the kidnapped Israeli soldier Gilad Shalit for more than four years, depriving him of his most basic human rights, including any visit from the Red Cross.

16. Explanations that such issues were not within its mandate conveniently relieved the Special Committee of its basic obligation to pursue impartial and objective fact-finding. Unless Hamas's destructive role in the region was put into context, the report could not provide anything close to an accurate picture of the situation on the ground. Israel had refused and would continue to refuse to cooperate with the Special Committee, since it was clear that its work had predetermined conclusions and findings, and prejudged Israel's culpability.

17. There had been many positive developments in the West Bank and Gaza over the past year. Despite continued terrorist attacks emanating from the Gaza Strip, Israel had decided to liberalize the system through which civilian goods entered the area and expand the inflow of materials for projects under the supervision of international organizations. The only goods that remained restricted were arms, weapons and war materiel, as well as certain dual-use items. As a result, since 17 June 2010, the number of trucks entering Gaza had doubled to approximately 250 per day. Furthermore, over the past four months Israel had approved 31 new international development projects in the Gaza Strip, and a number of other projects had been completed earlier in the year. Israel was working with a number of United Nations agencies, international organizations and partner countries to

move development projects in Gaza forward, while still ensuring that its security needs were met.

18. Israel had also taken significant steps to promote and substantially improve the economy of the West Bank, including by removing hundreds of roadblocks and checkpoints. Those measures were not to be taken lightly, especially in view of the fact that some Israelis had since been killed in places where checkpoints had been removed. The measures were having a significant economic impact, however: according to the International Monetary Fund, real GDP growth in the first six months of 2010 had amounted to 9 per cent in the West Bank and 16 per cent in Gaza.

19. It was absurd to hear condemnation and criticism of Israel's judicial system and human rights record from certain countries in the region and beyond where many human rights activists were in prison, and there was no freedom of the press or independent judiciary. The reports of international human rights organizations clearly showed that those countries preferred to attack Israel rather than make efforts to improve their own practices.

20. Israel was committed to reaching a permanent peace agreement with the Palestinians that would permit their two peoples to live in peace, security and dignity. Israel called on its Arab neighbours to take concrete and courageous steps towards peace, instead of repeatedly engaging in futile rhetoric. To that end, Israel hoped that the Palestinians would rejoin the direct negotiations without delay.

21. **Mr. Bousselmi** (Tunisia) said that the Special Committee's report (A/65/327) brought home Israel's continual flouting of international law and its denial of the Palestinians' most basic rights, including the right to life, education and health. Again, the Special Committee felt compelled to reach conclusions similar to those of previous years, conclusions that pointed to a pattern of systematic human rights violations and illegal practices such that any chance of peace and the resumption of the peace negotiations were jeopardized. In that connection, he called for an immediate end to settlement building and action to prevent the social, economic and geographical fragmentation of the Palestinian population.

22. The terrible suffering inflicted on the Gaza population by the blockade and Israel's efforts to alter the identity and demographic characteristics of the city of Jerusalem deserved condemnation. The work of the Special Committee in drawing attention to that situation was important and necessary and should continue until the occupation ended and the Palestinians regained their legitimate rights.

23. Tunisia, which considered the Palestinian issue a matter of a natural right to nationhood, freedom and dignity, had worked at all levels to promote the restoration of Palestinian rights, the establishment of an independent State and a just and comprehensive peace in the Middle East. It called on Israel to end its illegal practices in the occupied territories and urged the international community to ensure that Israel complied with the relevant international resolutions and legal instruments, which, together with the Arab peace initiative and the conditions established under other peace processes, must form the basis of a just, lasting and comprehensive peace.

24. **Mr. Ali** (Malaysia) said that human rights violations against the Palestinian people and other Arabs in the occupied territories had worsened as a result of, inter alia, the expansion of illegal settlements, home demolitions, forced evictions, the ongoing construction of the separation wall and the revocation of residency rights. In addition, settler violence against Palestinians and criminal acts against their properties had increased, particularly over the past three months.

25. In spite of the announcement made by Israel to ease the blockade of Gaza, restrictions and obstacles remained in place which severely impeded progress towards reconstruction in the Gaza Strip and hampered the movement of people. Also, more than 6,200 Palestinians, including children, were being detained by Israel and subjected to humiliating and degrading treatment or torture, in clear contravention of Israel's obligations under international human rights law.

26. The planned expansion of Israeli settlements in the occupied Syrian Golan was a matter of serious concern. Such illegal expansion would change the physical and demographic composition of the area and deprive the inhabitants of scarce resources, including water.

27. Israel's unlawful policies and practices that violated the human rights of Palestinians and other Arabs in the occupied territories must stop and the Israeli authorities must be made accountable. The international community, through the Security Council in particular, must sanction Israel for its

non-compliance with the relevant resolutions. Malaysia supported the implementation of the recommendations contained in the report of the Special Committee, noting that criticism of the report did not change the fact that human rights violations were continuing to take place.

28. **Mr. Chabi** (Morocco) drew attention to the grave deterioration in the situation in the Occupied Palestinian Territory caused by Israel's ongoing violations of international law and serious infringements of civilians' rights and freedoms. In particular, the people in the Gaza Strip had endured terrible suffering following three years of Israeli military attacks and the imposition of a blockade that had severely damaged social and economic conditions in Gaza.

29. The continued construction of the separation wall in the West Bank posed a clear challenge to those international actors that had taken positions critical of Israel's racist policies. The fact was that the wall restricted the internal mobility of the Palestinians in the West Bank, adversely affecting their livelihoods, turning their towns and villages into isolated islands and forcing out thousands from their homes. In addition, the economic blockade imposed on the Palestinian National Authority had increased poverty and unemployment among a wide cross-section of the Palestinian population at a time when political difficulties made it difficult for the national Government to meet the population's needs in such areas as education, health and housing. Moreover, some 6,200 Palestinian prisoners continued to languish in Israeli prisons, where they were subjected to torture and many other forms of ill-treatment.

30. The Arab population fared no better in the occupied Syrian Golan, where even United Nations personnel had been subjected to arbitrary treatment. Local Syrian farmers faced heavy taxation and confiscation of their land, while water and other natural resources were exploited by the occupation authorities and administrative measures were imposed with a view to the Judaization of the Golan. He called on Israel to withdraw from the occupied Golan to the line of 4 June 1967 and to cease its many infringements of international human rights law and international humanitarian law.

31. Morocco was committed to the establishment of a Palestinian State and the liberation of all the occupied Arab territories. It called for the protection of civilians and the restoration of their right to a decent life in a fully sovereign State. It affirmed the need to respect the special status of Jerusalem and condemned all attempts to erase the historical and religious identity of the city, including the expulsion of inhabitants from East Jerusalem and the resumption of settlement activities. In that regard, His Majesty King Mohammed VI, the King of Morocco, had urged the international community to put a stop to all activities and projects that encroached upon Al-Aqsa Mosque and other sites in Holy Jerusalem.

32. The international community must discharge its responsibilities for the protection of the Palestinian people by taking decisive and effective measures to prevent the collapse of the negotiations and a return to violence and by acting on the international consensus to promote the establishment of a just and lasting peace based on a two-State solution.

33. **Mr. Mohamed** (Sudan) said that the Special Committee's report (A/65/327), which referred to war crimes by the Israeli occupation forces, described the grave and systematic violations of international humanitarian law which Israel had committed in the Occupied Palestinian Territory, denying the population freedom of movement and the basic right to a decent life and pushing much of the Palestinian population below the poverty line. It drew attention to a range of illegal Israeli practices such as settlement building, the erection of the separation wall and the confiscation of land, together with attacks by Israel on United Nations facilities in Gaza and humanitarian convoys. In addition, it described how Israel had continued its illegal occupation of the Syrian Golan, which it had annexed in flagrant breach of international law.

34. The Palestinian issue was at the heart of the Middle East problem, which could be resolved only by an end to the occupation, the implementation of the relevant United Nations resolutions, the establishment of an independent Palestinian State with Jerusalem as its capital and a settlement of the Palestine refugee issue based on international resolutions and the Arab peace initiative. His Government fully supported the Palestinian people in its struggle to regain its rights and called for an immediate and unconditional withdrawal by Israel from the occupied Syrian Golan. It called on the international community and the Security Council to bring pressure on Israel to cease its illegal practices, take immediate steps to protect the Palestinian people

and end the policy of impunity. The international community must likewise take measures to end the blockade on Gaza and open all crossing points to the free movement of people and goods.

35. **Ms. Khan** (Bangladesh) commended the efforts made by the members of the Special Committee, despite Israel's refusal to allow them to visit the Occupied Palestinian Territory. Their report depicted Israel's violation of the inalienable rights of the Palestinian people and other Arabs and its disregard for international law in the Occupied Palestinian Territory, issues which were of grave concern.

36. The fundamental right of the Palestinian people to self-determination and a sovereign State had remained unrealized for more than four decades. Israel had used excessive force in defiance of international law and continued to impose sweeping restrictions on movement in the Occupied Palestinian Territory. Increasing numbers of blockades, the continued construction of the separation wall and the expansion of Israeli settlements were worsening the humanitarian situation.

37. Under the Fourth Geneva Convention, Israel, as the occupying Power, could not legally or morally absolve itself of its responsibilities to guarantee the basic human rights of the people under its occupation, something which had been reaffirmed in various General Assembly and Security Council resolutions over the years.

38. Israel must lift its embargo and immediately open all border crossings to allow for the free movement of goods, persons and humanitarian aid. Bangladesh would also like to see freedom of movement for Palestinians throughout the occupied territories, an end to the collective punishment of civilians in Gaza, a stop to construction of the separation wall and full compliance with the advisory opinion of the International Court of Justice and all relevant General Assembly resolutions to ensure fair trial and detention conditions, in line with Israel's responsibilities as set out in the road map.

39. Her delegation reiterated its full support for the legitimate and inalienable rights of the Palestinian people to a sovereign and independent State with Jerusalem as its capital, and endorsed the implementation of the Special Committee's recommendations.

40. **Mr. Al-Zayrani** (Bahrain) said that the report of the Special Committee (A/65/327) provided alarming information on the deteriorating situation in the occupied Arab territories with respect to the enjoyment of the human rights and fundamental freedoms referred to by the Security Council in its resolution 237 (1967) as "essential and inalienable human rights" protected by international law. Despite the fact that, as in earlier years, Israel had denied the Special Committee access to the occupied territories, the Committee had been able to gather a great deal of information about the violent practices of the occupying Power.

41. Israel's pursuit of its annexation and settlement policies was contrary to the provisions of international instruments such the Hague Convention of 1907 and the four Geneva Conventions; moreover, resolutions of the United Nations had declared the building of settlements in the occupied territories, including Jerusalem, to be an obstacle to the peace process. The Security Council had condemned those practices, declaring them to be without legal effect and an obstacle to the attainment of a comprehensive, just and lasting peace in the Middle East, and had censured the proclamation by the Israeli parliament of Jerusalem as the eternal capital of Israel. In particular, in its resolution 478 (1980), the Council had called for all measures that purported to change the nature of Jerusalem to be rescinded.

42. The continued extension of the separation wall was in violation of the advisory opinion of the International Court of Justice of July 2004, which had called for it to be dismantled. As the Secretary-General had said in an earlier report (A/60/539-S/2005/701), along with continued Israeli settlement activity the construction of the wall constituted a key challenge to the fulfilment of the road map's goal of a comprehensive settlement of the conflict based on a two-State solution.

43. The extension of the Israeli settlements was one aspect of the gradual loss by the Palestinians of their sovereignty over their territory and their national identity. The presence of the settlers would have the effect of fragmenting the territory and turning it into isolated enclaves separated from each other as a result of the restrictions imposed and the policy of closure, which had led to the contraction of the Palestinian economy and to unemployment and widespread poverty among the population.

44. Despite the fact that the construction of the settlements was a violation of the Fourth Geneva Convention, as noted by the International Court of Justice in its advisory opinion, Israel had continued its settlement activity, in particular in East Jerusalem and the surrounding area.

45. As the Secretary-General had noted in his report on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan (A/65/365), Israel, in violation of its obligations under international law, had not ceased its settlement activity. By the end of 2009, there had been approximately 301,200 settlers and the Special Committee had noted a substantial increase in the number of attacks by settlers against Palestinian civilians in the Gaza Strip. Since 19 September 2007 Israel had regarded the Gaza Strip as an "enemy entity" and had closed all border crossings, a form of collective punishment that imposed great hardship on the Palestinian population.

46. In the occupied Syrian Arab Golan Israel had continued its annexation and settlement policy in defiance of international resolutions, in particular Security Council resolution 497 (1981), which had declared the decision of Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan to be null and void and without international legal effect. The intentions of Israel were clearly illustrated by its action to link the economy of the occupied Syrian Arab villages to the Israeli market and by its attempt to make the economy subordinate to Israeli companies. In addition to its settlement policy and the expropriation of land and water resources, Israel was pursuing a policy of systematically eradicating the Arab character of the occupied Syrian Golan and obliterating the Arab culture and heritage from the consciousness of its Syrian population.

47. The signatories of the Millennium Declaration had affirmed the right of peoples which remained under colonial domination and foreign occupation to self-determination, and had stated their resolve to establish a just and lasting peace all over the world in accordance with the purposes and principles of the Charter. A just and comprehensive peace in the Middle East was a strategic choice that necessitated the full implementation of the resolutions of the United Nations, the principle of land for peace and a commitment to implement the road map, the Arab Peace Initiative and other initiatives and approaches. The sufferings of the Palestinian people and of the Syrians in the occupied Golan would not end as long as Israel continued to occupy the Arab territories, oppressing them through the policy of annexation and settlement; human rights and fundamental freedoms would not be exercised in accordance with international instruments until the ending of the occupation and the attainment by the Palestinian people of their inalienable rights, including the right to establish an independent State on their own national territory with Jerusalem as its capital.

48. **Mr. Sahraei** (Islamic Republic of Iran) said that for decades, the Israeli regime's war machine had continued to kill Palestinian civilians. Its brutal actions, detailed in United Nations reports and resolutions, were considered war crimes and crimes against humanity. Throughout the Occupied Territory, Palestinians were facing tremendous hardship and living in a violent environment that had devastated all aspects of their lives in the West Bank and the Gaza Strip. Palestinians were systematically being denied basic human rights and humiliated on a daily basis.

49. The blockade of the Gaza Strip, where all border crossings had been closed for more than three years, had been aggravated by the Israeli aggression of 2008-2009, with disastrous humanitarian and economic consequences. The people lacked food and essential materials and services and were denied such basic rights as freedom of movement and the right to work, receive health care and education and enjoy appropriate living conditions. Poverty and unemployment rates stood at approximately 80 per cent and 60 per cent respectively. His Government believed that the savage blockade constituted a crime against humanity and posed a serious threat to international peace and security and to regional stability. It was, moreover, a form of collective punishment, which was prohibited under international law. In addition, Israel's recent invasion of a humanitarian aid convoy had been an act of State piracy.

50. In the West Bank, Israel continued its settlement activities, its construction of the separation wall, the demolition of houses and the confiscation of land. One aim of its expansionism was to change the fabric and demography of the Holy City, while its extensive and provocative excavations were posing a threat to the historical and religious monuments of the city.

51. Various initiatives meant to resolve the question of Palestine had been put forward over the years and all had foundered. The fundamental problem was the continuing illegal occupation of Palestinian and other Arab territories and the Israeli regime's intransigent defiance of international law. The Islamic Republic believed that all Palestinians who had a legitimate stake in the territory of Palestine — including Muslims, Christians and Jews, and among them especially the Palestinian refugees who had endured years of exile — had to decide their own future freely in a general referendum. A lasting settlement could be achieved only with the establishment by democratic choice of an independent Palestinian State. Clearly, the United Nations was in a position to effectively further such a solution.

52. The Golan was an integral part of the territory of the Syrian Arab Republic, and all steps taken by the occupying Power to deny the human rights of its inhabitants and implant illegal Jewish settlements there were to be condemned.

53. **Ms. Gharaibeh** (Jordan), after saying that the Special Committee should continue its work until the Israeli occupation of Arab territories had ended completely, called on Israel to cooperate with the Committee and comply with its recommendations.

54. It was clear from the Special Committee's distressing report that the abusive Israeli practices in the occupied territories were a violation of Palestinian and Arab rights and were incompatible with any desire to make peace. If Israel wished to bring about peace it should immediately cease any practices which were incompatible with its obligations as the occupying Power under international law and international humanitarian law.

55. There had recently been intensive international efforts to create a favourable climate for direct negotiations between Palestinians and Israelis with a view to achieving a two-State solution and to establishing an independent and sovereign Palestinian State with Jerusalem as its capital, within the borders of 4 June 1967, living in security in a stable region that included Israel. Accordingly, her country called on Israel to respond to those efforts and to resume direct negotiations so as to achieve a positive outcome and address all the final-status issues, including Jerusalem, the refugees and the borders, and to bring an end to Israel's unilateral measures in the occupied West Bank and East Jerusalem, which included construction work in the settlements, forced displacement and evacuation, the seizure of land and property, the destruction of Palestinian, Muslim and Christian homes and the expulsion of their owners. All excavations and tunnelling operations under and around Islamic and Christian holy places should also cease. Such activities were not only contrary to international law but were a flagrant violation by Israel of its obligations as the occupying Power and an obstacle to international efforts to establish peace.

56. Arabs and Muslims had endeavoured to promote peace, in particular through the Arab Peace Initiative adopted at the Beirut summit of 2002 and reaffirmed at every subsequent Arab summit, the most recent of which had been held in Sirte in the Libyan Arab Jamahiriya. Unfortunately, that major initiative in favour of a comprehensive, lasting and just peace had not so far met with a response commensurate with its importance on the part of successive Israeli Administrations.

57. In conclusion, she emphasized the central importance of the Palestinian issue, which was at the heart of the conflict in the region, and said that her country remained convinced that the attainment of a two-State solution and of a just and comprehensive peace was the only effective way to solve the other problems of the region, including extremism, terrorism and violence. In that context her country regretted the decision by the Israeli Government not to freeze construction activity in the settlements or even to extend the moratorium on construction, thereby jeopardizing the negotiation process in defiance of the wishes of the international community.

58. **Mr. Belkheir** (Libyan Arab Jamahiriya) said that in over 60 years of occupation it had become clear that terrorism was a major feature of the practices of the Zionist occupying Power; that was why the international community had established the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. Like other international bodies, the Committee had met with a policy of non-cooperation on the part of the occupying Power, which had failed to comply with a large number of international resolutions, thus proving that it had no regard for international legitimacy. His delegation therefore urged the United Nations to compel Israel to

cooperate with its institutions, thus enabling the Organization to perform the functions entrusted to it.

59. Israel constantly accused international organizations and the resolutions they adopted of being politicized and of lacking integrity. His delegation believed, however, that the attitude of the international community should serve as incentive to the Israeli Government to reconsider its position, which could only be described as racist.

60. The report of the Special Committee illustrated the abhorrent nature of the Zionist occupation, which, in order to attain its objectives, perpetrated extrajudicial killings and systematic terrorist assassinations and threatened human rights organizations that tried to provide information to international institutions or that initiated legal proceedings against high-level officials of the occupying Power or senior officers of the army of occupation. It was scarcely necessary to enumerate the practices of the Zionist occupier, as they were fully documented in the report of the Special Committee and in the news media. Those practices included war crimes and crimes against humanity committed in Gaza, violence against Palestinian women, the closure regime, the expansion of settlements, the crimes of settlers against Palestinians, the racist separation wall, the displacement of persons, the bulldozing of land, the destruction of homes, the desecration of holy places, and mass arrests that included women and children, all of which were blatant violations of human rights.

61. The oppression of the Palestinian people was increasing with the annexation of territory, and the systematic policy of Judaization of Palestine. The issuance of a military order by the Zionist forces of occupation on 13 April 2010, which was designed to empty Jerusalem of the Palestinians, was an example of Zionist racism. His country firmly rejected any measures that undermined Palestinian sovereignty in Jerusalem, condemned the Zionist occupying Power for its action in altering the demographic and geographical character of Jerusalem and affirmed that the only way of putting an end to Israeli illegal practices was through the withdrawal of the Zionist forces of occupation from all the occupied Arab territories and the restoration of the historic rights of the Palestinian people.

62. He called on the international community, and in particular the Security Council, to assume its responsibility to put an end to the main cause of all the crises in the Middle East, namely the Zionist occupation of Arab territories; as long as the occupation of Arab territories continued, there would be neither peace nor security in the Middle East region. No people could be deprived of the legitimate right of resistance against foreign occupation.

63. **Mr. Al Muhairi** (United Arab Emirates) said that the sufferings being inflicted on a daily basis on defenceless civilians in occupied Palestine and the occupied Syrian Golan were part of the widespread aggression that was being perpetrated by Israel and its army in order to consolidate the occupation of those territories. The violations of human rights included repeated military aggression in Palestinian towns and villages, indiscriminate shelling, the arbitrary arrest of women and children, the destruction of some 2,450 homes over the previous 12 years, the destruction of civilian installations and of public and private property, the bulldozing of agricultural land, the imposition of collective punishments and of restrictions, which included setting up 505 closure obstacles and increasing the number of "flying" checkpoints by more than 50 per cent between December 2009 and March 2010, thus impeding the movement of people and goods and access to hospitals, schools and places of worship. The policy of forced displacement under the provisions of two Military Orders had placed large numbers of Palestinians residing in the West Bank and Jerusalem at risk of deportation to the Gaza Strip or abroad at any moment. The Israeli forces had continued the policy of removing traces of Palestinian heritage by replacing the Arabic names of streets, villages and holy places with Hebrew names.

64. The blockade of the Gaza Strip, involving the repeated closure of border entry and exit points, prevented the population from obtaining necessary aid items, particularly energy sources, which were a lifeline for hospitals and for many installations of vital importance to the population. As a result of the collapse of the Palestinian economy, many Palestinians lived below the poverty line and suffered from chronic health problems. Water in many areas was unusable for drinking because the groundwater had been contaminated by the Israelis. Over 6,200 Palestinians were held in Israeli prisons, including 30 women and over 300 children. Most of the prisoners were being held without charge and had been subjected to various forms of torture and ill-treatment, particularly children.

An unknown number of bodies of people who had died in Israeli prisons were being held in military cemeteries and refrigerators, and in many cases the Israeli authorities had failed to inform the families of the deceased or to release their bodies for burial.

65. His country strongly condemned all those practices and the grave humanitarian violations to which Israel resorted in order to cover up its colonialist policy and its plundering of the natural resources of the Palestinian and Arab territories. In the City of Jerusalem, excavations were still continuing under Al-Haram Al-Sharif, existing settlements were being extended and more were being constructed and, despite the advisory opinion of the International Court of Justice, the racist separation wall had been extended by over 200 kilometres, passing through West Bank towns and villages and around Jerusalem, turning parts of Palestine into small isolated cantons which made it impossible for a viable Palestinian State to be established.

66. He appealed to the international community to intervene as a matter of urgency to oblige Israel to cease all such inhumane activities and war crimes and called on Israel to comply with the resolutions of the United Nations, the Charter, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the four Geneva Conventions, particularly with respect to the protection of civilians in time of war, the treatment of prisoners of war and the protection of cultural property in the event of armed conflict. In that context he also emphasized the need to activate and strengthen the mandate of the Office of the United Nations Register of Damage for the occupied Palestinian territory, which had been established in order to document all the damage suffered by Palestinians as a result of the construction of the racist separation wall.

67. In conclusion, he reaffirmed the basic responsibilities of the international community, in particular the United Nations, to protect the Palestinian people and the population of the Syrian Arab Golan from the aggression and brutal occupation by Israel of their territories and expressed the hope that the General Assembly would strengthen the mandate of the Special Committee to enable it to ensure comprehensive and detailed coverage of the violations of human rights in the Palestinian and Arab occupied territories. He also called for the fact-finding machinery to be strengthened and, in particular, for the inquiry into the attack on the freedom flotilla to be completed.

68. **Mr. Latreche** (Algeria) said that he was concerned about Israel's refusal to cooperate with the Special Committee, whose work would remain indispensable for as long as the occupying Power persisted in its inhuman, immoral and illegal practices. The Special Committee was keeping the international community from slipping into complicit silence.

69. Sadly, it was clear that Israel was continuing its large-scale human rights violations in the occupied Arab territories, including infringements of the right to life, to freedom of movement, to freedom of expression, and to decent housing and medical care. The situation in the Gaza Strip was very serious from all points of view. The inhabitants of that overpopulated and largely poor territory were enduring the consequences of the Israeli blockade, which limited humanitarian access, restricted desperately needed imports, prohibited exports and prevented young Palestinians from visiting their families or attending universities outside Gaza. Israel's recent aggression against a humanitarian flotilla bound for Gaza was one more example of the collective punishment being imposed on 1.5 million persons. The supposed easing of the restrictions did not and could not change anything: to allow the population to live normally, Israel must lift the blockade immediately.

70. Despite the consensus that settlements were illegal and that peace and the two-State solution depended on a complete cessation of settlement activities, the Israeli Government had chosen to carry on with its settlement operations. In the Syrian Golan, annexed in an unprecedented act of piracy, the living conditions of the Syrian inhabitants were deteriorating daily owing to arbitrary arrests and detentions and unacceptable challenges to their Arab identity. That confirmed Algeria's suspicion that Israel's true intention was to redraw the map also in the occupied territories by systematically annexing land and doing away with the Palestinian presence. Although negotiations were crucial, there could be no settlement of the conflict until Israel ended its occupation, withdrew its forces from all the occupied Arab territories, and abandoned all provocative policies that compromised the success of the peace process. His delegation supported all the recommendations made by the Special Committee in chapter VII of its report, and especially the first

recommendation addressed to Israel in paragraph 100 (b).

71. The very foundations of the United Nations and the limits of its authority were being sorely tested by the developments in the Middle East. Israel's impunity undermined the Organization's credibility. The inertia of the United Nations towards Israel must end, and the Security Council must exercise its prerogatives in that regard.

72. **Mr. Ramadan** (Lebanon) said that 43 years had elapsed since Israel had begun its occupation of Palestinian territory and the Syrian Golan, and also since the adoption of Security Council resolution 242 (1967), which Israel continued to defy. Whether now or later, the end of the occupation and the return of refugees would remain the gateway not only to a resolution of the Arab-Israeli conflict but also to acceptance of Israel by all who adhered to the rule of law.

73. Unfortunately, Israel's logic of force emboldened it to pursue illegal practices in the form of settlements, demolition of houses, evictions and collective punishment. It was resisting the international consensus on the two-State solution and had refused to extend its partial so-called freeze on settlements. At the same time, it had amended its citizenship legislation to require an oath of allegiance to Israel as a Jewish State, thus delegitimizing the historic presence of the Palestinians in the land of their ancestors. By making the recognition of Israel and the establishment of security arrangements for Israel the goal of the recently resumed negotiations, the Israeli Prime Minister had determined their outcome in advance. The recent official suggestion that the issue of Israeli Arabs should be a matter for negotiation made the idea of "transfer" or deportation an official Israeli policy, as did the contention that negotiations should be based on the principle of exchange of land and population rather than exchange of land for peace.

74. Israeli soldiers had virtually unlimited power to target civilian areas or to kill and destroy without distinguishing between civilians and armed combatants. They could detain Arabs indefinitely or unleash the fury of settlers in order to terrorize Palestinians, desecrate their religious sites and uproot their trees. The occupying soldiers were violating the human rights of Palestinians in despicable ways.

75. In any case, no peace could be envisaged as long as Israel continued to blockade Gaza and bomb its people on the pretext that they were terrorists. The blockade was being imposed from the inside as well, for Palestinians were denied access to about one third of Gaza's viable agricultural land and prohibited from fishing in their own waters.

76. With reference to the statement made earlier in the meeting by the representative of Israel, his delegation questioned how much damage had actually been done by the rockets fired into Israeli territory. Moreover, the fate of Corporal Gilad Shalit was one that any soldier could expect; at the rate at which supplies were currently allowed to enter Gaza, the United Nations Relief and Works Agency had calculated that it would take 70 years to repair the damage wrought by Israel; and if Israel found the Special Committee's report one-sided, it should cooperate with that Committee's investigations so that its own views could be heard. As to Israel's claim to being a democracy, it was certainly not one for the Palestinians living under Israeli rule.

77. The international community must renew its commitment to the force of law and to a just and comprehensive settlement of the conflict in the Middle East based on Security Council resolutions 242 (1967) and 338 (1973), the Madrid terms of reference, the principle of land for peace, and the Arab Peace Initiative. A lasting peace had to include Syria, which meant that Israel must comply with Security Council resolution 497 (1981) and withdraw fully from the occupied Syrian Golan. In the meantime, any attempt to alter the legal, material and demographic status of the Golan by Israel was a violation of international law. Israel's brutal practices in prisons in the occupied Syrian Golan and the denial of family visits to the inmates must also be condemned.

78. **Mr. Al-Salyani** (Yemen) said that Israel's practices in the Arab territories, which it had occupied for over 40 years, were contrary to international law, international humanitarian law, the principles of the Universal Declaration of Human Rights and the resolutions of the General Assembly and the Security Council and had brought about a deterioration in the economic and social situation of the populations of those regions. Israel had continued to construct the separation wall and to extend its settlements in the Occupied Palestinian Territory, including Jerusalem,

actions which United Nations resolutions had declared to be blatant violations of the Geneva Convention.

79. Israel had continued its aggressive policies against the Palestinian people in the form of killings, starvation, oppression, collective punishments, the expropriation of land and the closure of border crossings, thus transforming Gaza into the largest prison in the world in which the population was denied basic necessities such as food, electrical power, medicines, water and fuel. As the report of the Special Committee made clear, the human rights situation in the Palestinian territories had been adversely affected by the recent Israeli attack on Gaza in which 1,420 Palestinians had been killed, over 5,000 others injured, over 5,000 homes destroyed and some 20,000 Palestinian families displaced, as had been stated in the report of the United Nations Fact-Finding Mission on the Gaza Conflict, known as the Goldstone report, which had noted the deliberate targeting by Israel of civilians and described its actions as war crimes that required action by the international community.

80. His delegation called on the international community, specifically the Security Council, to assume its responsibilities and find a solution to the Arab-Israeli conflict and to renew its support for the inalienable rights of the Palestinians and for their struggle to establish their own independent State with Jerusalem as its capital. His country also condemned Israel's illegal attempts to annex the occupied Syrian Golan by extending the construction of settlements, exploiting the natural resources and other illegal acts.

81. In conclusion, his delegation insisted that the establishment of settlements must cease and that Israel must withdraw from all occupied Arab territories. It supported the conclusions and recommendations of the Special Committee to the effect that the Security Council should be urged to ensure the implementation of the advisory opinion of the International Court of Justice and General Assembly resolution ES-10/15, in which the Assembly had requested Israel to comply with its legal obligation to cease the construction of the separation wall in the Occupied Palestinian Territory.

82. **Mr. Onemola** (Nigeria) said that lasting peace could not exist in conditions where a segment of the population was treated as subhuman. All like-minded nations should call on Israel to refrain from practices that undermined the peace process in the Middle East. The intensification of Government-initiated construction projects to expand Israel's settlements in the West Bank, including East Jerusalem, was particularly abhorrent. The confidence of the parties to the conflict would be bolstered if the moratorium on settlement construction was extended as evidence of the seriousness that Israel attached to the peace process.

83. The use of torture on women and children by Israeli authorities, as reported by the Special Committee, was another source of concern; as was the Israeli blockade of the Gaza Strip, which had caused suffering, impeded freedom of movement and exacerbated poverty, further humiliating an already miserable population. The marginal increase in supplies entering Gaza had barely made an impact on the humanitarian crisis there, and much more needed to be done. In the occupied Syrian Golan, moreover, Israel operated on the premise of two races, two systems, as in its discriminatory allocation of water resources in favour of Jewish settlers.

84. At the same time, a better option than the firing of rockets against innocent civilians would be a carefully designed overall strategy that entailed Israel's compliance with the relevant United Nations resolutions in return for recognition of the State of Israel and the sovereign right of Israel to exist side by side with Palestine and its Arab neighbours. The Quartet, which had opened another window of opportunity for the countries of the region, should be given the support it needed to succeed. Nigeria looked forward to the outcome of direct talks between the parties. The goal should be a settlement that allowed the State of Palestine to emerge and coexist alongside Israel. His Government strongly supported the Palestinian cause and the inalienable right of the people to establish an independent State. It would work with other Member States to implement the recommendations of the Special Committee.

85. **Mr. Sefue** (United Republic of Tanzania) said that his delegation welcomed the resumption of negotiations between Israel and Palestine in September 2010 and commended the United States Government for its leadership in the matter, just as it commended the efforts made by other parties in the search for durable peace and security in the region.

86. Unlawful activities by Israel were continuing in the Occupied Palestinian Territory, including East Jerusalem: the ongoing expansion of settlements, house demolitions, forced evictions and the construction of

the separation wall were all major obstacles to peace. While acknowledging the right of the Israeli people to security, his Government deplored the use of excessive and indiscriminate force against Palestinian civilians.

87. His Government supported a comprehensive settlement of the Arab-Israeli conflict on the basis of international law and also endorsed the two-State solution, as well as the right of Israeli civilians to live in peace. It therefore urged full implementation of Security Council resolution 1860 (2009), the full observance of international humanitarian law and an immediate, sustained and unconditional opening of crossings into the Occupied Palestinian Territory for the smooth flow of humanitarian aid, commerce and people. Israel's recent easing of restrictions on movement in the West Bank and on entry of goods into Gaza was welcome, but further steps were needed.

88. His Government expressed its solidarity with the right of the Palestinian people to peace and sovereign existence as an independent State with East Jerusalem as its capital. Israel and Palestine had much to gain from a shared future of peaceful coexistence and mutual respect.

Rights of reply

89. **Ms. Rasheed** (Observer for Palestine), speaking in exercise of the right of reply, said that the Israeli delegation's claim that his country attached the utmost importance to human rights was perhaps true for its own Jewish population but, as all well knew, not so for the Palestinian population under its occupation. Israel's documented human rights record consisted instead of the occupation of another people's land for four decades; the worst terrorism in the region; the killing of civilians; arbitrary imprisonments; home demolitions; settlement construction on land that it did not own; a separation wall that served to hem in the population and obstruct normal life; the establishment of hundreds of checkpoints in the Occupied Palestinian Territory; and the practice of collective punishment, notably by the blockade of Gaza. The flowery picture painted by the Israeli delegation notwithstanding, only 25 per cent of the essential non-restricted goods were being allowed into Gaza. She would like Israel to answer the following questions. What other country had, for 40 years, denied basic human rights to another people? And what democracy or "respected judicial system" sanctioned occupation, colonization and torture?

90. Israel was a violator of the rule of law and should be compelled to acknowledge its crimes. It must allow peace to be restored rather than simply speaking of peace. Israel should cooperate with the Special Committee, which, like any investigative body, had a duty to verify and document the facts.

91. **Mr. Hamed** (Syrian Arab Republic), speaking in exercise of the right of reply, said that he deplored the statements made by the representative of Israel concerning Israel's commitment to human rights. Israel, which had committed war crimes and inflicted terrible suffering on civilians in the occupied territories, was in no position to preach to others about democracy and human rights. Israel was a self-proclaimed Jewish State which, as many international observers had noted, engaged in racist practices in the occupied territories. If it was indeed a human rights champion, then it was surprising that it continued to prevent the Special Committee from visiting the occupied territories to see the situation there for itself. If, as Israel claimed, the work and report of the Special Committee were politicized, then the same must be true of all the statements that had been made by Member States at the current session, including those by Israel's friends.

92. The representative of Israel had mentioned the case of Gilad Shalit, who was just one Israeli soldier. He had omitted to mention the thousands of people being detained by Israel, including women and children. Indeed, Israel had placed a child under house arrest, just because the child had been born in the Syrian Arab Republic.

93. Contrary to the claims made by Israel, the violations of human rights in the occupied territories were increasing. History had never seen acts of terrorism and racism as brutal as those committed by Israel and its Government against the Arabs.

Agenda item 51: United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*) (A/65/13, 225, 283 and 311)

94. **Mr. Al-Zayrani** (Bahrain) began by thanking those countries that were hosting Palestinian refugees, namely Jordan, the Syrian Arab Republic and Lebanon.

95. The report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) (A/65/13) provided details of the difficulties faced by the Agency

during the reporting period as a consequence of Israel's aggressive policies against Palestinian civilians, which included 350 Israeli military incursions into the 19 refugee camps in the West Bank, together with the continuing regime of closures, separated road networks, house demolitions, land confiscation, settlement expansion and curfews, search and arrest campaigns, targeted killing, and growing settler violence against Palestinians. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/65/35) further described such settler violence, which impaired the ability of the Agency to perform its mandated task of providing assistance to Palestine refugees. The Israeli forces of occupation had also violated the immunity of the Agency and its staff, contrary to the provisions of the United Nations Charter, the Convention on the Privileges and Immunities of the United Nations and the 1967 Comay-Michelmore Agreement, to which Israel was a party.

96. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People noted that, despite the Israeli announcement regarding its intention to ease the Gaza blockade in July 2010, UNRWA had been unable to resume work on suspended major infrastructure projects, with the exception of three pilot projects intended to test the integrity of the supply chain. The Agency had nevertheless continued to provide an extensive programme of emergency assistance and basic public services in Gaza and the West Bank. It was therefore incumbent on the Member States to express their support for the Commissioner-General and to commend him and the staff of the Agency for persevering despite the difficulties that they encountered in their efforts to maintain UNRWA services to Palestine refugees. In the view of his delegation, the publication of the medium-term strategy, starting in January 2010, marked a continuation of many of the achievements that had given rise to the programme for the three years under the leadership of the Commissioner-General; the reform process had borne fruit, in particular in terms of human resources management and programme management.

97. It was clear from the report of the Commissioner-General that the financial situation of the Agency was still serious and that the precarious financial situation in 2009 and in earlier years had made it difficult for the Agency to carry out its mandate with regard to relief, protection and human development. In a letter to the Commissioner-General dated 22 June 2010 the Agency's Advisory Commission had expressed concern about the long-term structural underfunding of the Agency. The critical financial situation had resulted from funding shortfalls affecting the regular budget, emergency appeals and working capital, growing deficits in a number of project accounts and the structural deficit, all of which had made it impossible to meet the needs arising from natural growth in the number of refugees. In order to ensure that the financial and operational difficulties did not overshadow the historic achievements of the Agency, intensive efforts should be made to translate moral support into financial support. He hoped that the Agency would be able to overcome the current crisis by broadening its donor base and securing more substantial payments, especially from major donors. The latter should be commended for the past assistance that they had provided to the Agency with a view to putting the Agency's finances on a sound footing and ensuring that the services provided for Palestine refugees in the Agency's five areas of operations were not adversely affected.

98. The failure to implement General Assembly resolution 194 (III) of December 1948, especially paragraph 11, which provided for the return of the refugees to their homes and property, had made the Agency a vital institution as a provider of basic services to Palestine refugees, including those displaced in 1967. A solution to the problem had to be found as well as a solution to the problem of the Middle East as a whole — the core of which was the Palestine question — in accordance with the resolutions of the United Nations, the Arab Peace Initiative and other initiatives and approaches.

The meeting rose at 12.50 p.m.